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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/583,301	05/30/2000	Robert Seliger	S1389/7009	2275

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EXAMINER	
JACOBS, LASHONDA T	

ART UNIT	PAPER NUMBER
2157	

DATE MAILED: 05/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/583,301	SELIGER, ROBERT	
	Examiner	Art Unit	
	LaShonda T. Jacobs	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION..

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 March 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) _____ is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-22 and 24-38* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

This is a Final Office Action in response to Applicant's Amendment/Request for Reconsideration filed on March 3, 2005. Claims 1-22 and 24-38 are presented for further examination.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims **1-38** are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson et al (hereinafter, "Johnson", U.S. Pat. No. 5,664,109) in view of O'Toole et al (hereinafter, "O'Toole", U.S. Pat. No. 6,345,294) and in further view of Judge et al (hereinafter, Judge", U.S. Pat. No. 6,401,138).

As per claim **1**, Johnson discloses a context management system comprising:

- at least one memory in which is stored a set of instructions defining a context management server which delivers context management information to client applications and a set of instructions defining a software interface for administering the context management server over the network using a general-purpose client interface (abstract, col. 4, lines 52-67, col. 5, lines 1-21, lines 28-31 and col. 7, lines 42).

However, Johnson does not explicitly disclose:

- a server appliance comprising a computer system having a power supply input and a network input/output (I/O) port for coupling the server appliance to a network.

O'Toole discloses a method and apparatus for remote configuration of an appliance on a network including:

- a server appliance comprising a computer system having a power supply input and a network input/output (I/O) port for coupling the server appliance to a network (col. 4, lines 31-41, col. 6, lines 39-50, lines 66-67 and col. 7, lines 1-7).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated O'Toole teachings of a network appliance with the system of Johnson for the purpose of providing a low cost administration system, which allows the network appliance to boot and obtain its configuration information distributes information efficiently.

Johnson in view of O'Toole discloses the invention substantially as claims discussed above.

However, Johnson in view of O'Toole does not explicitly disclose:

- wherein the context management server is defined in accordance with a Clinical Context Object Workgroup (CCOW) standard and wherein the context management information relates to a patient, a user and an encounter.

Judge discloses an interface for patient context sharing and application switching including:

- wherein the context management server is defined in accordance with a Clinical Context Object Workgroup (CCOW) standard and wherein the context management information relates to a patient, a user and an encounter (col. 2, lines 4-15).

Given the teaching of Judge, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Johnson in view of O'Toole by including a patient context interface in order to provide services to a plurality of application programs in a timely and efficient manner.

As per claim **8**, Johnson discloses a context management system, comprising:

- at least one memory in which is stored a set of instructions defining a context manager accessible to managed applications through the network and a set of instructions defining a context vault accessible to the context manager (abstract, col. 4, lines 52-67, col. 5, lines 1-21, lines 28-31 and col. 7, lines 42).

However, Johnson does not explicitly disclose:

- a web server, accessible through a network via the HTTP protocol.

O'Toole discloses a method and apparatus for remote configuration of an appliance on a network including:

- a web server, accessible through a network via the HTTP protocol (col. 6, lines 54-65, col. 8, lines 54-67 and col. 9, lines 1-6).

Given the teaching of O'Toole, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Johnson by incorporating a web server for storing information in order to allow users to surf and retrieve information in a timely and efficient manner.

Johnson in view of O'Toole discloses the invention substantially as claims discussed above.

However, Johnson in view of O'Toole does not explicitly disclose:

- wherein the context manager is defined in accordance with a Clinical Context Object Workgroup (CCOW) standard and wherein the context manager information provides information to the managed applications relating to a patient, a user and an encounter.

Judge discloses an interface for patient context sharing and application switching including:

- wherein the context manager is defined in accordance with a Clinical Context Object Workgroup (CCOW) standard and wherein the context manager information provides information to the managed applications relating to a patient, a user and an encounter (col. 2, lines 4-15).

Given the teaching of Judge, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Johnson in view of O'Toole by including a patient context interface in order to provide services to a plurality of application programs in a timely and efficient manner.

As per claim **12**, Johnson discloses a method for context management over a network, comprising:

- receiving, via the network, a first network message, in accordance with a network communication protocol, containing information pertaining to the context management action (col. 5, lines 28-31, lines 55-67, col. 14, lines 26-67 and col. 7, lines 1-5);
- performing an act pertaining to the context management action (col. 5, lines 28-31, lines 55-67, col. 14, lines 26-67 and col. 7, lines 1-5); and
- sending, via the network, a second network message, in accordance with the network communication protocol, containing information pertaining to the context management action (col. 5, lines 28-31, lines 55-67, col. 14, lines 26-67 and col. 7, lines 1-5).

However, Johnson does not explicitly disclose:

- a server appliance.

O'Toole discloses a method and apparatus for remote configuration of an appliance on a network including:

- a server appliance (col. 4, lines 31-41, col. 6, lines 39-50, lines 66-67 and col. 7, lines 1-7).

Given the teaching of O'Toole, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Johnson by coupling a server appliance network in order to provide a self organizing network that efficiently distributes data items in a timely and efficient manner.

Johnson in view of O'Toole discloses the invention substantially as claims discussed above.

However, Johnson in view of O'Toole does not explicitly disclose:

- wherein the context manager is defined in accordance with a Clinical Context Object Workgroup (CCOW) standard and wherein the information relates to a patient, a user and an encounter.

Judge discloses an interface for patient context sharing and application switching including:

- wherein the context manager is defined in accordance with a Clinical Context Object Workgroup (CCOW) standard and wherein the information relates to a patient, a user and an encounter (col. 2, lines 4-15).

Given the teaching of Judge, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Johnson in view of O'Toole by including a patient

context interface in order to provide services to a plurality of application programs in a timely and efficient manner.

As per claim **30**, Johnson discloses a context management system:

- a memory holding context management software (abstract, col. 4, lines 52-67, col. 5, lines 1-21, lines 28-31 and col. 7, lines 42);
- a network connection (col. 4, lines 52-67, col. 5, lines 28-31 and lines 46-54);
- a processor executing instructions corresponding to said context management software (col. 4, lines 52-67 and col. 5, lines 1-21); and
- a network carrying information pertaining to context management actions (abstract, col. 4, lines 52-67, col. 5, lines 1-21, lines 28-31 and col. 7, lines 42).

However, Johnson does not explicitly disclose:

- a server appliance couple to a network via network connection.

O'Toole discloses a method and apparatus for remote configuration of an appliance on a network including:

- a server appliance couple to a network via network connection (col. 4, lines 31-41, col. 6, lines 39-50, lines 66-67 and col. 7, lines 1-7).

Given the teaching of O'Toole, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Johnson by coupling a server appliance to the network in order to provide a self organizing network that efficiently distributes data items in a timely and efficient manner.

Johnson in view of O'Toole discloses the invention substantially as claims discussed above.

However, Johnson in view of O'Toole does not explicitly disclose:

- wherein the context management software is defined in accordance with a Clinical Context Object Workgroup (CCOW) standard and wherein the information relates to a patient, a user and an encounter.

Judge discloses an interface for patient context sharing and application switching including:

- wherein the context management software is defined in accordance with a Clinical Context Object Workgroup (CCOW) standard and wherein the information relates to a patient, a user and an encounter (col. 2, lines 4-15).

Given the teaching of Judge, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Johnson in view of O'Toole by including a patient context interface in order to provide services to a plurality of application programs in a timely and efficient manner.

As per claim **2**, Johnson discloses the invention substantially as claimed.

However, Johnson does not explicitly disclose:

- configuration information for the context management server, whereby the context management server can bootstrap without requiring user intervention.

O'Toole discloses a method and apparatus for remote configuration of an appliance on a network including:

- configuration information for the context management server, whereby the context management server can bootstrap without requiring user intervention (col. 4, lines 31-41, col. 6, lines 39-50, lines 66-67 and col. 7, lines 1-7).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated O'Toole teachings of a network appliance with the

Johnson for the purpose of providing a low cost administration system, which allows the network appliance to boot and obtain its configuration information and distributes information efficiently.

As per claim **3**, Johnson discloses the invention substantially as claimed.

However, Johnson does not explicitly disclose:

- a set instructions which when executed connect to the server appliance to the network absent user intervention.

O'Toole discloses a method and apparatus for remote configuration of an appliance on a network including:

- a set instructions which when executed connect to the server appliance to the network absent user intervention (col. 4, lines 31-41, col. 6, lines 39-50, lines 66-67 and col. 7, lines 1-7).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated O'Toole teachings of a network appliance with the Johnson for the purpose of providing a low cost administration system, which allows the network appliance to boot and obtain its configuration information and distributes information efficiently.

As per claim **4**, Johnson discloses the claimed invention substantially as claimed.

However, Johnson fails to explicitly disclose:

- a set of instructions which when executed balance a processing load on the server appliance with a processing load on another server appliance.

O'Toole discloses a method and apparatus for remote configuration of an appliance on a network including:

- a set of instructions which when executed balance a processing load on the server appliance with a processing load on another server appliance (col. 4, lines 52-56).

Given the teaching of O'Toole, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Johnson by incorporating more than one server appliance for processing and distributing data items across the network in order to equally balance the load on the server appliances.

As per claim **5**, Johnson discloses the claimed invention substantially as claimed.

However, Johnson fails to explicitly disclose:

- a set of instructions which when executed transfers a processing load from a failed server appliance to another server appliance.

O'Toole discloses a method and apparatus for remote configuration of an appliance on a network including:

- a set of instructions which when executed transfers a processing load from a failed server appliance to another server appliance (col. 4, lines 52-56).

Given the teaching of O'Toole, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Johnson by incorporating more than one server appliance for processing and distributing data items across the network in order to equally balance the load on the server appliances.

As per claims **6**, **10** and **36**, Johnson discloses:

- a Master Patient Index (col. 10, lines 27-30, and col. 11, lines 5-22).

As per claims **7** and **11**, Johnson discloses:

- a healthcare coding index (col. 9, lines 38-56).

As per claim **9**, Johnson discloses:

- wherein the context vault is accessible to the context manager through the network (abstract, col. 4, lines 52-67, col. 5, lines 1-12, col. 7, lines 42-57 and col. 11, lines 5-22).

As per claim **13**, Johnson discloses:

- wherein performing the act pertaining to context management comprises performing a processing function in a context manager (col. 13, lines 46-56).

However, Johnson does not explicitly discloses:

- server appliance.

O'Toole discloses a method and apparatus for remote configuration of an appliance on a network including:

- server appliance (col. 4, lines 31-41, col. 6, lines 39-50, lines 66-67 and col. 7, lines 1-7).

Given the teaching of O'Toole, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Johnson by coupling a server appliance to the network in order to provide a self organizing network that efficiently distributes data items in a timely and efficient manner.

As per claim **14**, Johnson discloses:

- wherein performing the act pertaining to context management comprises performing a processing function in a context vault (col. 13, lines 46-50).

However, Johnson does not explicitly discloses:

- server appliance.

O'Toole discloses a method and apparatus for remote configuration of an appliance on a network including:

- server appliance (col. 4, lines 31-41, col. 6, lines 39-50, lines 66-67 and col. 7, lines 1-7).

Given the teaching of O'Toole, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Johnson by coupling a server appliance to the network in order to provide a self organizing network that efficiently distributes data items in a timely and efficient manner.

As per claim **15**, Johnson discloses:

- wherein performing the act pertaining to context manager comprises performing processing functions, in each of a context manager and a context vault (col. 13, lines 46-50).

However, Johnson does not explicitly discloses:

- server appliance.

O'Toole discloses a method and apparatus for remote configuration of an appliance on a network including:

- server appliance (col. 4, lines 31-41, col. 6, lines 39-50, lines 66-67 and col. 7, lines 1-7).

Given the teaching of O'Toole, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Johnson by coupling a server appliance to the network in order to provide a self organizing network that efficiently distributes data items in a timely and efficient manner.

As per claim **16**, Johnson discloses the claimed invention substantially as claimed.

However, Johnson fails to explicitly disclose:

- determining whether to use the server appliance or another, similarly configured network appliance, based on load sharing considerations.

O'Toole discloses a method and apparatus for remote configuration of an appliance on a network including:

- determining whether to use the server appliance or another, similarly configured network appliance, based on load sharing considerations (col. 4, lines 52-56).

Given the teaching of O'Toole, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Johnson by incorporating more than one server appliance for processing and distributing data items across the network in order to equally balance the load on the server appliances.

As per claim **17**, Johnson discloses:

- wherein receiving and sending the network messages is done using the TCP/IP (col. 5, lines 28-31).

As per claim **18**, Johnson discloses the invention substantially as claimed.

However, Johnson does not explicitly disclose:

- wherein receiving and sending the network messages is done using the HTTP protocol.

O'Toole discloses a method and apparatus for remote configuration of an appliance on a network including:

- wherein receiving and sending the network messages is done using the HTTP protocol (col. 8, lines 54-67 and col. 9, lines 1-6).

Given the teaching of O'Toole, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Johnson by using the HTTP protocol to send requests to a web server which allows a user to communicate with the web server effectively.

As per claim **19**, Johnson discloses the invention substantially as claimed.

However, Johnson does not explicitly disclose:

- adapting an existing server appliance for use as a context management server appliance.

O'Toole discloses a method and apparatus for remote configuration of an appliance on a network including:

- adapting an existing server appliance for use as a context management server appliance (col. 4, lines 31-41, col. 6, lines 39-50, lines 66-67 and col. 7, lines 1-7).

Given the teaching of O'Toole, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Johnson by coupling a server appliance to the network in order to provide a self organizing network that efficiently distributes data items in a timely and efficient manner.

As per claim **20**, Johnson discloses the invention substantially as claimed.

However, Johnson does not explicitly disclose:

- adapting the existing server appliance comprises installing context management software onto the existing server appliance.

O'Toole discloses a method and apparatus for remote configuration of an appliance on a network including:

- adapting the existing server appliance comprises installing context management software onto the existing server appliance (col. 4, lines 31-41, col. 6, lines 39-50, lines 66-67 and col. 7, lines 1-7).

Given the teaching of O'Toole, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Johnson by coupling a server appliance to the network in order to provide a self organizing network that efficiently distributes data items in a timely and efficient manner.

As per claim **21**, Johnson discloses:

- sending information, from a context client over the network (col. 5, lines 28-31, lines 55-67, col. 14, lines 26-67 and col. 7, lines 1-5).

However, Johnson does not explicitly disclose:

- a server appliance.

O'Toole discloses a method and apparatus for remote configuration of an appliance on a network including:

- a server appliance (col. 4, lines 31-41, col. 6, lines 39-50, lines 66-67 and col. 7, lines 1-7).

Given the teaching of O'Toole, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Johnson by coupling a server appliance to the network in order to provide a self organizing network that efficiently distributes data items in a timely and efficient manner.

As per claim **22**, Johnson discloses:

- receiving information, on a context client, over the network (col. 5, lines 28-31, lines 55-67, col. 14, lines 26-67 and col. 7, lines 1-5).

However, Johnson does not explicitly discloses:

- a server appliance.

O'Toole discloses a method and apparatus for remote configuration of an appliance on a network including:

- a server appliance (col. 4, lines 31-41, col. 6, lines 39-50, lines 66-67 and col. 7, lines 1-7).

Given the teaching of O'Toole, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Johnson by coupling a server appliance to the network in order to provide a self organizing network that efficiently distributes data items in a timely and efficient manner.

As per claim **23**, Johnson discloses:

- wherein the context management action pertains to patient medical care (col. 3, lines 19-27).

As per claim **24**, Johnson discloses:

- wherein the context management action pertaining to patient medical care comprises an action on a master patient index (MPI) (col. 10, lines 27-30, and col. 11, lines 5-22).

As per claim **25**, Johnson discloses:

- wherein the context management action pertaining to patient medical care comprises is in accordance with a healthcare industry standard (col. 9, lines 38-44).

As per claims **26** and **34**, Johnson discloses the invention substantially as claimed.

However, Johnson does not explicitly disclose:

- coupling the server appliance to a Web server, said Web server managing communication between the server appliance and other elements coupled to the network.

O'Toole discloses a method and apparatus for remote configuration of an appliance on a network including:

- coupling the server appliance to a Web server, said Web server managing communication between the server appliance and other elements coupled to the network (col. 6, lines 54-65, col. 8, lines 54-67 and col. 9, lines 1-6).

Given the teaching of O'Toole, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Johnson by incorporating a web server for storing information in order to allow users to surf and retrieve information in a timely and efficient manner.

As per claims **27** and **35**, Johnson discloses the invention substantially as claimed.

However, Johnson does not explicitly disclose:

- running software on the Web server capable of supporting Web browser applications and an interface to client applications.

O'Toole discloses a method and apparatus for remote configuration of an appliance on a network including:

- running software on the Web server capable of supporting Web browser applications and an interface to client applications (col. 5, lines 11-20).

Given the teaching of O'Toole, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Johnson by incorporating a web server for storing information in order to allow users to surf and retrieve information in a timely and efficient manner.

As per claims **28** and **33**, Johnson discloses:

- wherein the network is any of: a wide area network, local area network and the Internet (col. 5, lines 21-23).

As per claim **29**, Johnson discloses:

- performing a coding act wherein context data is represented by corresponding numeric data (col. 6, lines 20-43 and col. 7, lines 42-57).

As per claim **31**, Johnson discloses the invention substantially as claimed.

However, Johnson does not explicitly disclose:

- wherein the server appliance is a context management server appliance implemented on an existing server appliance.

O'Toole discloses a method and apparatus for remote configuration of an appliance on a network including:

- wherein the server appliance is a context management server appliance implemented on an existing server appliance (col. 4, lines 31-41, col. 6, lines 39-50, lines 66-67 and col. 7, lines 1-7).

Given the teaching of O'Toole, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Johnson by coupling a server appliance to the

network in order to provide a self organizing network that efficiently distributes data items in a timely and efficient manner.

As per claim **32**, Johnson discloses:

- a load manager for distributing context management loads between a plurality of servers (abstract, col. 4, lines 52-67, col. 5, lines 1-21, lines 28-31 and col. 7, lines 42).

As per claim **37**, Johnson discloses:

- a context manager (col. 5, lines 28-31, lines 55-67, col. 14, lines 26-67 and col. 7, lines 1-5).

However, Johnson does not explicitly disclose:

- server appliance.

O'Toole discloses a method and apparatus for remote configuration of an appliance on a network including:

- a server appliance (col. 4, lines 31-41, col. 6, lines 39-50, lines 66-67 and col. 7, lines 1-7).

Given the teaching of O'Toole, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Johnson by coupling a server appliance to the network in order to provide a self organizing network that efficiently distributes data items in a timely and efficient manner.

As per claim **38**, Johnson discloses:

- a context vault (col. 9, lines 38-56).

However, Johnson does not explicitly disclose:

- a server appliance.

O'Toole discloses a method and apparatus for remote configuration of an appliance on a network including:

- a server appliance (col. 4, lines 31-41, col. 6, lines 39-50, lines 66-67 and col. 7, lines 1-7).

Given the teaching of O'Toole, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Johnson by coupling a server appliance to the network in order to provide a self organizing network that efficiently distributes data items in a timely and efficient manner.

Response to Arguments

3. Applicant's arguments filed March 3, 2005 have been fully considered but they are not persuasive.

The Office notes the following arguments:

a. The Office Action fails to cite anything of record suggesting why one of skill in the art would have been motivated to combine Johnson, O'Toole and Judge in anyway, and also fails to disclose what the Examiner believes the system would look that one of skill in the art would have been led to based upon the teachings of these three references.

b. Judge does not show all of the limitations added in the prior amended. There is simply no reference to CCOW in Judge and the nature of the context management described therein does not comply with the CCOW standard.

In response to:

a. Applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Johnson, O'Toole and Judge provide motivation to be combine in order to provide services to a plurality of application programs in a timely and efficient manner thereby providing a lost cost administration system.

b. Judge discloses an interface for patient context sharing and application switching which allows user to switch between applications and view the data about the same patient within the two applications. The patient context interface (PCI) provides services to a plurality of programs within a medical information system. The PCI reads on the CCOW standard that relates information to a patient. Both the PCI and CCOW allow a user to view and access information about a patient within different applications.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LaShonda T. Jacobs whose telephone number is 571-272-4004. The examiner can normally be reached on 8:30 A.M.-5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LaShonda T Jacobs
Examiner
Art Unit 2157

ltj
May 10, 2005

SALEH NAJJAR
PRIMARY EXAMINER